

REMARKS

By this paper, independent claims 1 and 21 have been amended. Claims 1-31 remain pending.

In the outstanding Office action dated November 4, 2004, claims 1, 2, 5, 6, 21 and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chuter (6,454,795) and claims 1, 2, 5, 21 and 24 were rejected under § 102(b) as being anticipated by Pinchasik et al. (6,454,795). Additionally, claims 26-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuter in view of Pinchasik.

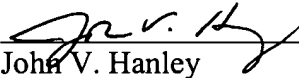
In response to the rejection of independent claim 1, Applicants have amended claim 1 to recite a collapsible cylindrical endoprosthesis wherein a space is maintained between at least one pair of adjacent longitudinal members when the endoprosthesis is collapsed. Additionally, in response to the rejection thereof, independent claim 21 has been amended to recite a collapsible cylindrical endoprosthesis wherein certain of the plurality of proximal and distal connections maintain the space between at least one pair of adjacent longitudinal members when the endoprosthesis is collapsed. As such, it is believed that each of independent claims 1 and 21 and their dependent claims recite subject matter which is patentable over the cited art. In particular, the cited Chuter patent teaches adjacent members which come into contact along their length when the disclosed stent is collapsed and thus does not teach a space between adjacent members which is maintained when the structure is in a collapsed configuration. Moreover, it is believed to be significant that the cited Pinchasik et al. patent does not teach both maintaining a space between longitudinal members and having opposed contact surfaces of the longitudinal members come together when the stent is collapsed. In fact, the Pinchasik reference does not teach collapsing the disclosed stent so that opposed contact surfaces ever contact. Accordingly, it is believed that each of the examined claims as amended define patentable subject matter.

CONCLUSION

Applicants have attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above amendments and remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

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